

AMENDED

12686

APPLICATION FOR PERMIT

Serial No.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 11 1948  
Returned to applicant for correction MAY 23 1949  
Corrected application filed JUN 17 1949

The undersigned John U. Birnie Name of applicant  
of Paradise Valley, County of Humboldt  
State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Underground water from Name of stream, lake, or other source  
Well No. 2
2. The amount of water applied for is 0.64 second-feet. One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation and domestic Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:  
S. 2° W. 1405 Feet from the E<sup>1</sup> Corner Sec. 15 T. 42 N. R. 40E. M.D.B.&M.  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 64
- (b) Description of land to be irrigated  
Portions of S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup> Sec. 15; SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec. 14; NE<sup>1</sup>NE<sup>1</sup> Sec. 22 T. 42 N. R. 40E.  
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
- (c) Use will begin about Mar. 15 and end about Sept. 30, of each year.  
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
- (e) Place of use Give location of place of use by legal subdivision
- (f) Point of return of water to stream Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered
- (h) Use will begin about \_\_\_\_\_ and end about \_\_\_\_\_, of each year.  
Month Month
- (i) Remarks

### DESCRIPTION OF PROPOSED WORKS

Surface well equipped with pump.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$2,000  
6. Estimated time required to construct works 5 years  
7. Remarks \_\_\_\_\_

For use of applicant.

John J. Birnie, Applicant.

By A. V. Tallman  
Agent

Compared AT AM

This sheet inspected

, Engineer.

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights and particularly the decreed water right on Martin Creek. It is further understood that when use of water under this permit is interfering with such decreed right, the State Engineer will be obligated to restrict such use. A measuring device must be installed and accurate measurements of water placed to beneficial use must be made. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.64 cubic feet per second, and not to exceed a duty of 3.6 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before May 25, 1950

Proof of commencement of work shall be filed before June 25, 1950

Work must be prosecuted with reasonable diligence and be completed on or before May 25, 1951

Proof of completion of work shall be filed before June 25, 1951

Application of water to beneficial use shall be made on or before May 25, 1952. Proof of the application of water to beneficial

use must be filed with State Engineer on or before June 25, 1952

JUN 17 1949

Map File \_\_\_\_\_ of commencement of work filed MAY 15 1950  
Proof of commencement of work filed MAY 15 1950  
because of failure of WITNESS MY HAND AND SEAL this 3rd day

Cancelled FEB 26 1957 because of failure of

permits

of November 1, 1949

State Engineer

ALFRED MERRITT SMITH

State Engineer

By F. N. DONDERO - Deputy State Engineer